

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

APPLIED ELASTOMERICS, INC., a  
California corporation,

CASE NO. C062469 CW

Plaintiff(s),

v.

Z-MAN FISHING PRODUCTS, INC., a  
South Carolina corporation,

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Defendant(s).

\_\_\_\_\_/

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

✓ Mediation (ADR L.R. 6) \*

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

Private ADR (please identify process and provider) \_\_\_\_\_

The parties agree to hold the ADR session by:

the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

✓ other requested deadline November 30, 2006

Dated: 8/24/06

Jill D. Neiman

Attorney for Plaintiff

Dated: 8/24/06

Mark J. Rogers /s/

Attorney for Defendant

\* The Parties stipulate to court mediation provided Martin Quinn from the ADR Program's Neutral Program is selected as the mediator. If not, the parties stipulate to private mediation with a mutually agreed upon mediator. If the parties are unable to agree regarding a private mediator the parties stipulate to using Mr. Quinn for the private mediation.

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

~~PROPOSED~~ ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

X Mediation

Private ADR

Deadline for ADR session

90 days from the date of this order.

X other by 11/30/06

IT IS SO ORDERED.

Dated: 9/11/06



UNITED STATES MAGISTRATE JUDGE  
DISTRICT